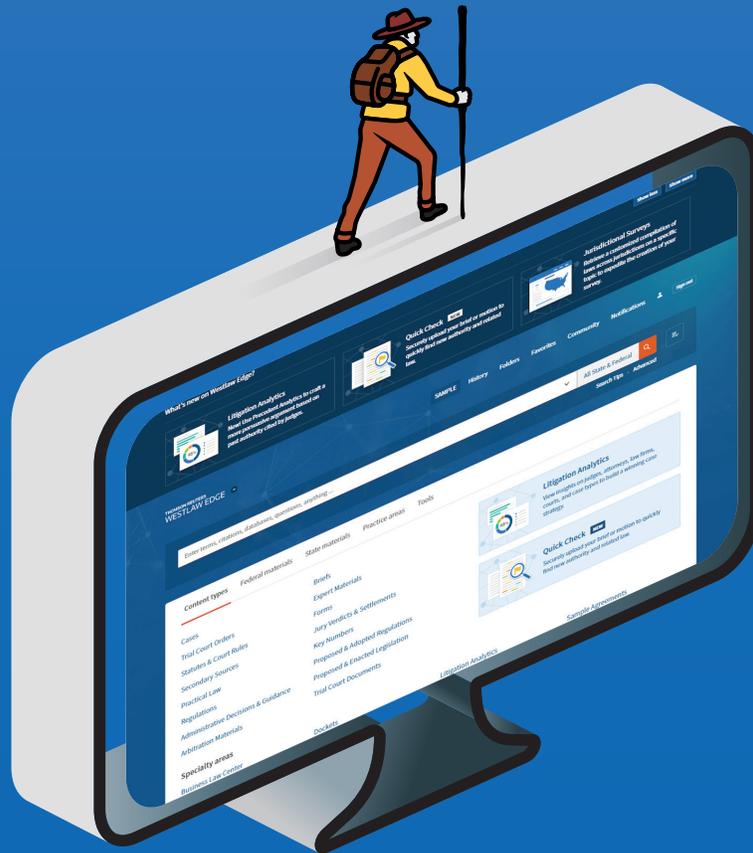


Review of

Westlaw Edge Quick Check

By Vincent J. Galluzzo | December 3, 2019



Product

Review

EXECUTIVE SUMMARY

PRODUCT

Westlaw Edge Quick Check uses AI to find overlooked cases in your briefs and those of opposing counsel. It also lets you know about cases in a brief at risk of being overruled.

REVIEWER

Vincent J. Galluzzo is a partner at Crowell & Moring who specializes in patent and trade secret litigation. He has used Quick Check in his practice since its launch in July 2019.

VERDICT

Quick Check finds cases that strengthen your brief. You'll find citations worth adding to your brief and arguments you had not previously considered that you can incorporate. Warnings for Cited Authority saves time by showing you the relevant passage from the case from the higher court.

Galluzzo rates Quick Check 4.8/5.0. This translates to a TechnoLawyer Score of A+.

CONTACT

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Legal research is much faster now than in the days (and nights, and weekends) attorneys would spend in a law library surrounded by copies of the Federal Reporter, clunky three-ring-bound treatises, and West's Federal Practice Digest.

But trading paper cuts for carpal tunnel has not significantly changed legal research techniques. You must find the seminal cases that everybody cites for a generic proposition of law, which are easy enough to find today. I call these the “80% cases” after the Pareto Principle (the “80/20 Rule”).

To find the cases that fit your particular facts (the “20% cases”) in a library or on the computer, you have no choice but to read case after case after case. I know this all too well. Whether at the beginning of my career in a library at a litigation boutique in Orlando, Florida, or now in front of my computer at an Am Law 100 firm practicing patent and trade secret litigation in Washington, D.C., I have spent countless hours trying to find the

perfect “20% case” to persuade the judge (or judges) that my client’s position should prevail.

Westlaw Edge’s Quick Check tool offers a new way to do legal research, especially for those elusive “20% cases.” Quick Check allows you to upload any brief or memo (or portion of the same) and uses artificial intelligence to find cases that parallel your facts, arguments, reasoning, and the cases you already cite. If you upload an opponent’s brief, it can help you find cases that your opponent didn’t cite — likely for a reason you can exploit. Either way, Quick Check will help you find the one or two cases you’ve spent hours looking for, but just can’t find in the exponentially growing sea of online legal opinions.

Starting Quick Check

Quick Check is easily accessible at the top of the Westlaw Edge header (see Figure 1).

Once there, Quick Check presents you with two options: “Check your work” or “Analyze an

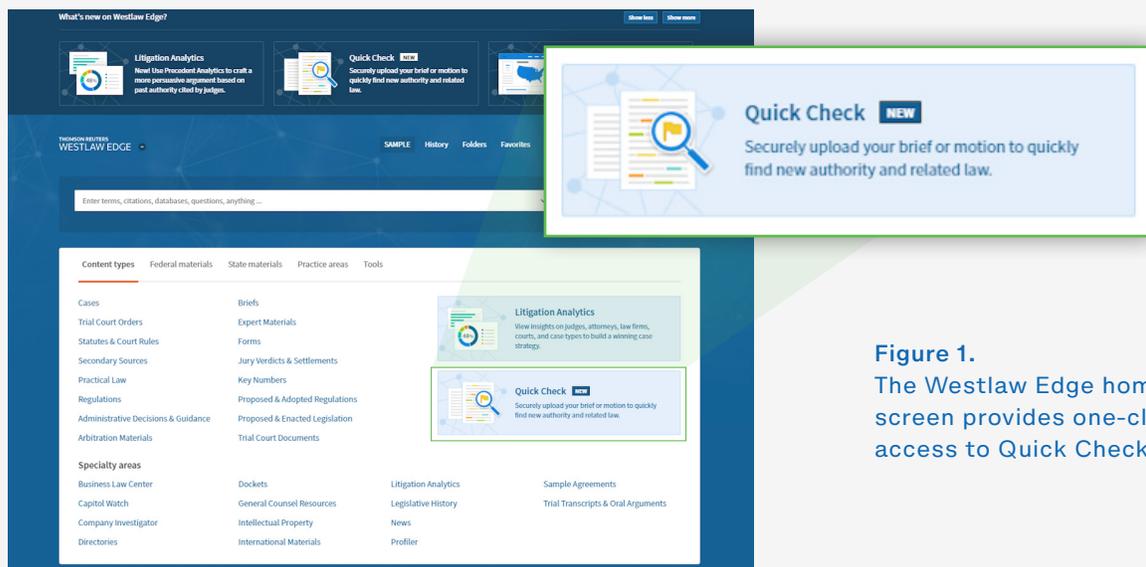


Figure 1. The Westlaw Edge home screen provides one-click access to Quick Check.

opponent’s work.” You can then select a brief to upload by clicking “Choose file” or by simply dragging and dropping a Word or PDF file onto the page. After that, Quick Check starts processing and takes anywhere from 3–5 minutes to generate a report depending on the length of your brief and the number of citations.

If you’re only interested in a single issue or don’t want to take the time to analyze your entire brief, Quick Check also gives you the option to enter text inline (I have not yet used this feature).

To me, the Quick Check Recommendations tab is by far the most helpful feature and is the main reason why I will continue using Quick Check in my day-to-day work.

Once Quick Check finishes its processing, it presents you with three tabbed options, which are ordered and titled differently depending on whether you selected to “Check your work” or

“Analyze an opponent’s work,” though the content in the three tabs is the same. When checking your own work, you’ll see “Recommendations,” “Warnings for cited authority,” and “Table of authorities.” When analyzing opposing counsel’s work, you’ll see “Omitted authority,” “Potential weaknesses,” and “Table of authorities.”

To date, I have used the information in the first two tabs so I will focus on those in this review.

Recommendations Surface Helpful Cases and Arguments

The Quick Check Recommendations (or “Omitted authority”) tab shows all cases that Quick Check found, organized the same way as the uploaded brief, with your brief headings and titles inserted directly into the search results (see Figure 2).

To me, the Quick Check Recommendations tab is by far the most helpful feature and is the main reason why I will continue using Quick Check in my day-to-day work. For example, I recently found a case that was directly on point with the facts of my case, but that I had not found through my initial research for two reasons – (1) it was not in a

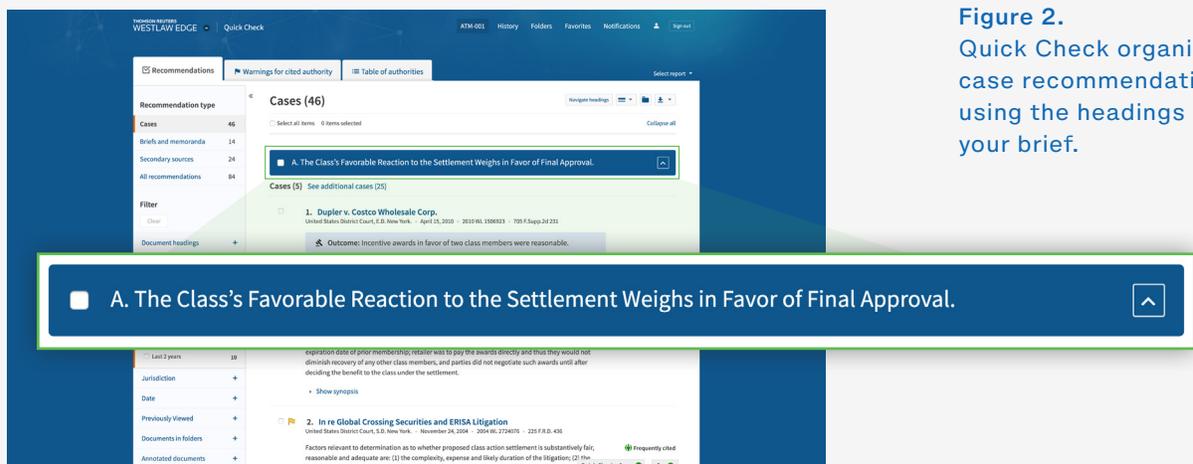


Figure 2. Quick Check organizes case recommendations using the headings in your brief.

common jurisdiction for patent cases and (2) the judge did not use the phrasing or word choice I had expected and used for my search queries.

For another brief, I found a case where the judge analyzed the issues differently than I had seen before, but in a way favorable to my position. While I did not end up citing the case, I did apply the court’s reasoning in my brief in advocating for my client’s position.

I found a case where the judge analyzed the issues differently than I had seen before, but in a way favorable to my position.

Westlaw users will recognize the way the cases are displayed by title and with court, date, and citation information. But unlike a normal Westlaw search result, Quick Check displays a summary of the portion of the case it thinks is specifically relevant to your brief and sometimes an “Outcome” of the case. It looks to me like Quick Check compiles this

summary information based on the headnote summaries you would normally find after a case caption and before the substance of the opinion. While I’ve found headnote summaries of varying degrees of helpfulness in normal legal research, the Quick Check summaries seem relatively on point. Quick Check also allows you to see the entire case synopsis (hidden by default) by clicking “Show synopsis.”

Quick Check also notes if the case is recent (“Last 2 years”), “Frequently cited,” or whether it “relates to cases already cited in your document” (it lists these related cases). It also tells you whether you have “Previously viewed” the suggested case so you can skip it if you didn’t find it helpful when you found it by other means. Sometimes, Quick Check will find more than five relevant cases for you in a given section, so you just need to click the “See additional cases” link to view the others.

Quick Check is not just limited to cases, though. The results also include briefs and memoranda and secondary sources. And, of course, it allows you to cull through the results with various filters, just like with a normal Westlaw search.

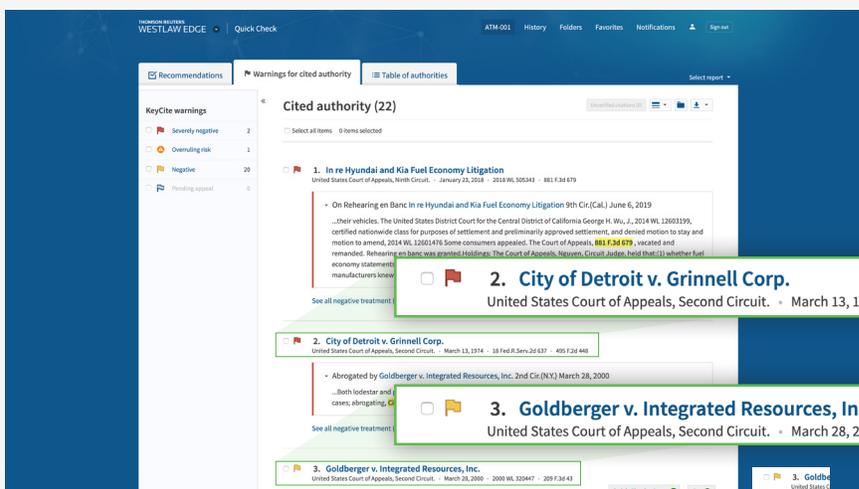


Figure 3. Quick Check lets you know if any of your cited cases have any explicit or implicit negative treatment.

Warnings for Cited Authority Save Time

Unlike the Recommendations tab, which recommends cases not already cited in your uploaded brief, the “Warnings for Cited Authority” (or “Potential weaknesses”) tab reviews the cases you *did* cite for subsequent authority and treatment. This tab shows you in an easily digestible form whether any of the cases you already cited have “severe negative” treatment (red flag), an “**overruling risk**” (orange hazard indicator), “negative” treatment (yellow flag), or is “pending appeal” (blue flag).



Quick Check has already proven helpful in my practice and has made at least two legal briefs stronger because of the additional authority or reasoning I’ve found using it.

Gone are the days of having an associate, paralegal, or staff member re-download all your cited cases so you can ensure one of them wasn’t overruled while you were putting the final touches on the brief before filing.

What I’ve found most helpful about Warnings for Cited Authority is that Quick Check will show you a summary from the subsequent authority that has overruled or been critical of your cited case. This can save you from having to go to that subsequent authority to figure out why your cited case has a yellow flag “negative” treatment (see Figure 3).

If you want to read that case, or any other subsequent authority, though, simply click “See all negative treatment” below the case.

Verdict

Quick Check has already proven helpful in my practice and has made at least two legal briefs stronger because of the additional authority or reasoning I’ve found using it. You still have to read the cases that Quick Check suggests to find your perfect “20% cases,” but Quick Check can do basically everything else. You can sign up for a [15-minute demo](#) and see Quick Check for yourself.





Meet Vincent J. Galluzzo

Vincent J. Galluzzo is a [partner in Crowell & Moring's Washington, D.C. office](#) and a member of the firm's Intellectual Property Group. His practice focuses on patent and trade secret litigation at the trial-court level, patent litigation before the Patent Trial and Appeal Board (PTAB), appeals at the U.S. Court of Appeals for the Federal Circuit, and other intellectual property and technology litigation, especially as it relates to computer and electrical systems. Vincent has a J.D. and a B.S. in computer engineering from the University of Florida. Vincent is also an adjunct lecturer at Johns Hopkins University's [Information Security Institute](#).



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